



MEMORANDUM

DATE: October 23, 2006

TO: ALL STATE AGENCIES, EMPLOYEE ORGANIZATIONS,
AND MEMBERS OF THE GOVERNOR'S CABINET

SUBJECT: CLASSIFICATION PROPOSALS
ESTABLISHING AND REVISING CLASSIFICATIONS

This memorandum is to provide guidance to departments seeking revisions to the Classification Plan. The information outlined below reiterates existing standards and widely accepted professional practices.

Section 3(a) of Article VII of the California Constitution provides that the State Personnel Board (SPB) shall prescribe classifications. Government Code Sections 18000 and 18720, require SPB to create and adjust classes of positions in the state civil service in accordance with Article VII, Section 1(b), that states in the civil service permanent appointment and promotion shall be made under a general system based on merit ascertained by competitive examination. Pursuant to Government Code Section 19831, SPB is required to establish minimum qualifications (the first step in the selection process) for determining the fitness and qualifications of employees for each class of positions.

Proposals for changes to classifications originate from a variety of sources including issues identified and initiated by SPB or the Department of Personnel Administration (DPA), specific departmental needs, memoranda of understandings (MOUs), legislative mandates, and recruitment issues. Once a need for a classification change has been identified, department(s) utilizing the classification can work with all interested parties to develop and submit to the DPA a proposed Board Item for any changes to the classification plan. After a department has worked with the DPA, a proposed Board Item is submitted to the staff of the SPB who will review it to determine whether it is complete and should be scheduled and presented to the Five-Member Board.

Per DPA's Personnel Management Liaisons memorandum dated March 25, 2005 departments have been delegated the authority to submit minor classification changes as Staff Board items directly to SPB with a copy sent to DPA. Substantive and contested classification changes will continue to be scheduled as Non-Hearing and Hearing Items and must first be submitted to DPA. Staff Items are non-substantive classification changes that the Five-Member State Personnel Board has delegated to the SPB staff, by resolution, the authority to approve. Classification proposals that could be considered for

Staff Items are changes that have occurred in the duties that are significant enough to require formal documentation but not so major as to affect selection, recruitment, existing promotional relationships to other classes, impact parallel classes, or compensation. Classification proposals that change class concepts, increase existing minimum qualifications, affect employee status, or merit cannot be considered for Staff Items. For questionable items SPB staff will make the determination as to how an item will be scheduled. Departmental representatives are encouraged to contact the SPB if they are unsure whether a proposed classification change could be considered as a Staff Item.

SPB applies the same standards to all proposed changes to the classification plan, and each proposal will be carefully evaluated to ensure all issues have been adequately addressed, including, but not limited to: employee status; merit and job relatedness; supportable and consistent minimum qualifications (MQ) patterns; future impact to applicants and employees; relationship to other classes and parallel classes; and integrity of the overall classification plan.

Proposed classification changes must be merit-based and job-related. Classification proposals must include justification and data to support the proposed changes. The nature of the data is dependent on the nature of the proposed change. Substantial changes to the classification plan such as the creation of a new class require a job analysis to support the necessity and job-relatedness of the proposed changes. In particular proposed changes that restrict MQ patterns, or may adversely impact current or future applicants or employees must be legally defensible and should be based on a job analysis.

A carefully conducted job analysis, as required by the 1978 Federal Uniform Guidelines on Employee Selection Procedures¹ and as outlined in Title 2 of the California Code of Regulations Section 50-Merit Selection Manual: Policy and Practices², will ensure that the proposed revisions are the result of the proper identification and documentation of the essential functions of a job classification, the specific task requirements of the job classification, and the knowledge, skills and abilities (KSAs) required to perform those tasks and essential functions.

¹ The Uniform Guidelines on Employee Selection Procedures were adopted in 1978 in an effort to establish and document a set of uniform federal standards for employers for the use of selection procedures in the employment setting, as well as to address adverse impact, validation, and record-keeping requirements. The Uniform Guidelines were jointly adopted by the United States Civil Service Commission, the United States Department of Labor, the United States Department of Justice, and the Equal Opportunity Commission. A full text of the Uniform Guidelines is available in Title 29, Part 1607, of the Code of Federal Regulations (29 CFR 1607).

² Section 50 incorporates by reference SPB's Merit Selection Manual: Policy and Practices, which establishes policy and provides guidance for State civil service selection processes and documents professional best practices. Section 2200-Job Analysis.

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For less significant classification changes, other types of supporting data (not including anecdotal information or testimonials) may be sufficient and should be included to support any proposed changes. Depending on the nature of the proposed changes such supporting data might include; the success/failure rates of applicants or employees with and without the proposed qualifications; comparisons of the proposed changes to existing civil service classes, or comparisons to other public sector classes or private sector positions; documented recruitment issues; or changes in legislation impacting the class or department.

The SPB strives to work with departments proposing revisions to the classification plan and will assist in any way possible. SPB encourages the departments to utilize the variety of resources available to develop their classification proposals (see attached list).

If you have any questions, you may contact Jennifer Roche of my staff at (916) 657-4322 or TDD (916) 653-1498.

Karen Coffee, Division Chief
Merit Employment and Technical Resources Division

Attachment: Resources List

RESOURCES FOR DEVELOPING JOB RELATED CLASSIFICATIONS INCLUDING MINIMUM QUALIFICATIONS

The following is a listing of resources relevant to the establishment and revisions to the California State Classification Plan

- Section 3 of Article VII of the California State Constitution
- Government Code Sections: 18702, 18000, 18802, 19818-19818.20
- The California State Personnel Board, Personnel Management and Procedures Manual Section 100: Classification and the Classification Plan
- The Department of Personnel Administration, Classification and Pay Guide Section 100: Board Items
- The California State Personnel Board, Merit Selection Manual: Policy and Practices Section 2200: Job Analysis
- Title 2 of the California Code of Regulations Section 50: Merit Selection Manual: Policy and Practices

A number of legal and professional standards apply to the conduct of job analysis. The major sources of guidance addressing job analysis and its use include the following

- Uniform Guidelines on Employee Selection Procedures (1978)
- The Principles for the Validation and Use of Personnel Selection Procedures (2003)
- The Standards for Educational and Psychological Testing (1999)
- The Americans with Disabilities Act
- Case Law

Selection Analyst Training Program

- The State Personnel Board's Technical Training Program offers courses twice a year for the Selection Analyst Training Program. For a complete listing of courses please visit <http://www.spb.ca.gov/spbtrain/> The Selection Analyst Training Program consists of a series of classes required to achieve a Certified Selection Analyst designation. The courses have been designed to provide participants with fundamentally sound, legally defensible, and innovative means of performing selection-related work.
- SPB staff can arrange for job analysis training for your staff provided that there are a minimum of twenty participants.

Test Validation and Construction Program

- The State Personnel Board's Test Validation and Construction Program (TV&C) is available to conduct a job analysis that meets all legal and professional requirements, or TV&C can guide departmental staff through the process of conducting a job analysis.